

*PUBLISHED EVERY MONDAY.*

RIO DE JANEIRO, JANUARY 27TH, 1890

NUMBER 4

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PUBLISHED WEEKLY.

A. J. LAMOURÉUX, Editor and Proprietor.

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RIO DE JANEIRO, JANUARY 27th, 1890.

THE promulgation of a decree providing for civil marriage on the 24th was a necessary result of the separation of church and state, as was that, also, providing for the secularization of cemeteries. Once the official supremacy of the church is destroyed, the state is obliged to provide civil formalities and recognizes to legalize acts once the exclusive function of church authorities, leaving the people, of course, to supplement this with whatever religious ceremony they may desire. It is to be regretted, however, that the civil requirements are not made easier and simpler, so that there may be less opportunity for abuse and less confusion in the minds of the people. Strict marriage laws, which raise so many impediments to the celebration of marriage never accomplish any good result. It is the tendency among nations just emancipated from church rule, however, to impose countless difficulties to the free action of the parties concerned, and perhaps nothing different ought to have been expected from Brazil. To exchange the tyranny of the church for that of a bureaucracy, however, is only a short step in advance, but it is important enough to merit sincere congratulation. When the Brazilian republican becomes wiser, he will abolish the absurd and useless formalities and obstructions just created.

Just before our last issue went to press we were informed that the minister of finance had ordered the suspension of the 20 reis tax imposed in rubber by the governor of Pará in the interests of a local syndicate, and we were also informed, about the same time, that the same governor, Justo Chermont, was interested in the company which he had sought to protect by this iniquitous tax. Unable to verify these reports at the moment we deferred further discussion until more definite information could be obtained. The correctness of the first report appears to be substantiated by a telegram from Pará on the 24th stating that the repeal of the 20 reis tax had given general satisfaction. It is a curious comment on the stability of public opinion in Brazil when it is recalled how unanimous were the native merchants in advocating the tax, and how profoundly was the Associação Commercial impressed with its necessity and equity, barely six weeks ago. All this, however, will serve a good purpose in demonstrating the necessity of removing the power of levying discriminating taxes from the hands of men so careless of the justice and influence of their acts. If the governor of Pará were a shareholder in the Companhia Mercantil, he should have been doubly

scrupulous in the matter of granting exceptional favors to it, and if the commercial men of that city were not satisfied with the monopoly thus created, they should have had the courage and manhood to say so. As it was, a most iniquitous tax was imposed directly in the interests of a recognized monopoly, and everyone acceded to it, except a half dozen exporters whose business was threatened with ruin. Even then, no one took any notice of the injustice until diplomatic intervention was secured. The government of course could not defend the unjust discrimination, and had to accept the friendly remonstrances of nations who expect just the same equitable treatment from Brazil which they accord at home. To avoid further complications of this character, the national government must, we repeat, assume the sole right of levying import and export duties. This may not always secure just laws, but it will at least secure uniformity and some measure of security against the gross discrimination which the governor of Pará sought to establish.

WERE it not that serious consequences are sure to follow the creation of a great banking monopoly such as that recently authorized by the minister of finance, we should most assuredly shun even the semblance of a serious discussion of it. It is so opposed to sound banking principles, so opposed to all the tenets of safe and legitimate financing, and so antagonistic to all ideas of justice and equity, that there can be no rational defence for it. After the Treasury statement of December 28th last which so justly condemned the monopolies and financial air-castles fostered by the last monarchical cabinet, we certainly had good reason for expecting something better from the present minister of finance, something broad and equitable in its conception, just and honorable in its results. Instead, we have a gigantic scheme for three great banking monopolies whose privilege embraces everything of a financial, industrial and commercial nature, and whose favors include preferences, grants, tax exemptions, etc., to a degree which forbids any such thing as private competition. It is a sound principle of government that all citizens should stand before the law on equal terms, that no discrimination whatever should be made between them. And yet, at the very beginning of its career and through the medium of its most eloquent and liberal advocate, the Brazilian republic decrees that the country shall be handed over to three great monopolies, that the national bonds forming their guarantee fund shall be paid by a tax on their profits, and that the rest of the people must shift for themselves as best they can in the little enterprises and occupations which these great banks do not care to touch. And what remains to them may be inferred from what this most iniquitous monopoly is authorized to do, viz.: to carry on a regular banking business; to make loans on real estate (issuing hypothecary notes), crops, agricultural machinery and implements, mills, factories and shops; to loan money on buildings and to enterprises of every character; to buy and sell lands; to take charge of colonization, land improvements, road making and river improvements; to carry on agricultural, pastoral and mining enterprises; and to effect any and all commercial and industrial operations. Practically the whole country is turned over to these three banks, at whose head we already find one of the most notorious speculators in Brazil! And, in consideration of their paying off the public debt represented by their guarantee fund, they are permitted to issue money against non-transferable, worthless bonds, to take up public lands without paying for them, to enjoy preference in the construction of railways, improvement of rivers,

working of mines and introduction of immigrants, to enjoy the privilege of judicial disappropriation of land and other property, and to enjoy exemption from all taxes and customs duties on the industrial establishments controlled and material imported for all their undertakings! Oh all the abuses of the monarchy, of all the monopolies created, or even dreamed of, not one ever approached this first great job of the infant Brazilian republic!

The clauses in the new decree regulating joint-stock companies (No. 164, of 17th January) are as follows:

ART. I, § 2.—Foreign joint-stock companies will also continue to depend on the authorization of the government for transacting business in the republic, observing in this respect the following, viz.:

I.—The statutes will declare the maximum period, never more than two years, counted from the date of the authorization, within which the society or company must realize at least two-thirds of its capital in the country.

II.—These companies will be subject to the dispositions of the present decree in regard to the relations, rights and obligations of the society and its creditors, shareholders and other parties interested, domiciled in Brazil although absent.

III.—The authorization obtained, these societies will comply, under penalty of nullification, with the dispositions of Art. III, § 4, Nos. 1 to 3, and § 5 of this decree.

(The dispositions above referred to are those of registry and presentation of statutes, list of shareholders, certificates of deposit, and publication of statutes, as at present required.)

ART. XXXIII. § 1.—Foreign societies, now existing in the country are obliged to comply with the dispositions of Art. I *in fine* within six months, to count from the date of the publication of the present decree; penalty that of losing the right to transact business in this republic.

We can not give the government credit for being ignorant of the fact that foreign companies neither can, nor will fulfill the requirements of this decree. It would be sheer idiocy to expect an old-established and rich foreign company to transfer two-thirds of its capital to Brazil, even were the country more settled and prosperous than it is. The manifest intention, therefore, must be that of driving these companies out of Brazil altogether—an intention so impolitic, arbitrary and unjust that nothing but losses and recriminations can result from it. It should be remembered that Brazil is not yet so independent that she can afford to antagonize all the principal commercial nations of the world, which she will certainly do if this Chinese policy prevails.

(Continued from our last.)

#### FINANCES IN 1889.

The cries for "aid to agriculture" appear to have finally increased almost to threats, planters were openly declaring their adherence to the republican party, when Sr. João Alfredo, although evidently unwilling and with bad grace, went so far as to somewhat increase the amount advanced by the Treasury through the Bank of Brazil to agriculture, or its creditors—for which of these derived the benefit of the operation has never been satisfactorily settled up to the present. On December 31st, 1888, the Bank of Brazil had advanced 4,760,000\$ as "aid to agriculture" which amount had increased to 5,667,000\$ on May 31st and to 6,015,000\$ at the end of June, when a new policy was adopted by Sr. João Alfredo's successor. The customs receipts had continued satisfactory during these months, and the policy of the government appeared still to be, to hoard the revenue until the inevitable change occurred.

The outlook for the future had become less rosy, however. Droughts were reported, not only from those provinces where they appear to be chronic, but from the Rio and S. Paulo coffee zones, where the crops of this great factor of Brazilian trade were declared nearly ruined, and, equally as serious, the cereal crops were proved to be utter failures. As the large coffee crop shipped in 1888-89 had produced, through the high current rates of exchange, a handsome increase in the specie value of exports, which went a great way towards meeting the increased value of imports, the failure of the 1889-90 crop was so serious a feature that even had it not been accompanied by the necessity of heavy demands on foreign markets for Indian corn, beans and rice, it should have inspired a cautious feeling in those charged with directing the finances of the empire.

Its only visible effect was to increase and fortify the demands of agriculture for aid, and render more evident their intention of

availing of the republican party to overthrow the hated João Alfredo cabinet.

Finally the Chambers had met on May 3rd and almost without any resistance, except so far as a stubborn refusal to remove obstacles to the pro-slavery section of his party assuming office as his possible successors may be thus characterized, Sr. João Alfredo turned over the government to Visconde de Ouro Preto and his companions on June 8th, no doubt heartily glad to be relieved of what must have become an intolerable burden.

Sr. João Alfredo was not a financier and was out of place as finance minister. He, however, appears to have been aware of the fact and preferred erring on the safer side, and if he did nothing to improve the position of Brazil, he cannot be charged with seriously damaging it, and this may be considered his credit.

On June 11th the new finance minister and premier, Visconde de Ouro Preto, explained in the Senate his platform, which he had submitted to the Emperor upon taking office. It was liberal to an extreme, the financial questions to be solved by the new government were declared to be: the greatest possible reduction in export duties, the formation of banks to aid agriculture and production generally, the conversion of the foreign debt and the gradual withdrawal of the government paper money. In the short five months of existence of the Ouro Preto cabinet, its leader did solve—in a certain sense—all of these problems, except the first one, a reduction on export duties, which probably escaped his attention.

On June 17th the Senate was released from its duties and the Chamber of Deputies scut about its private affairs, and Sr. de Ouro Preto hardly awaited the departure of these legislators before his bold and dangerous plans were developed.

The formation of banks, on the pretext of loaning money to agriculture, commenced with a fury never before seen in Rio, and in addition to these, other banks, with no other apparent object than to aid directors, also appeared on the scene. It is not a great exaggeration to say that a new bank, or an increase of capital by an established institution, was of daily occurrence. What the total sums, nominal and paid up, during the year amounted to is astounding, as shown by figures we published on the 13th of this month.

The contracts with the banks to "aid agriculture" provided that the Treasury should advance sums free of interest to these banks, and these amounts together with equal sums furnished by the institutions, should be employed in loans to planters at a charge of 6 per cent. Apparently the advances by the Treasury and those to an equal amount by the banks were not to proceed *pari passu*, and the temptation to receive free loans and employ the proceeds in anything resembling aid to agriculture, thus clearing handsome profits, was irresistible. It is sufficient here to say that on June 30th the amount advanced to agriculture was given at 6,015,000\$, the Bank of Brazil being the sole intermediary between the Treasury and the planters. On July 31st the amount had increased to 6,157,000\$; on August 31st it was 9,808,000\$. (For September our figures are missing), on October 31st it was 26,114,000\$ and on November 30th the amounts advanced to agriculture had reached the enormous sum of 32,183,000\$, say £3,620,000 sterling, of which the government had advanced 25,200,000\$. These figures cover the banks of Rio, S. Paulo and one bank in Minas, but banks at the northern ports had also received advances from the Treasury. Sr. Rui Barbosa in his published statement says the contracts signed with various banks demanded on November 15th 95,000,000\$ from the Treasury, of which only about 26,000,000\$ had been advanced. On December 31st the amount advanced by the banks reached 36,951,000\$, and that by the Treasury to these institutions was 32,050,000\$.

It is hardly worthy of criticism, this wicked waste of money on a futile pretext, and moreover disorganized changes of misapplication of these funds have been numerous. Each bank has a government fiscal inspector, and so far no reports from any of them, except in the case of the Banco de Crédito Real do Brazil, have been made public; blame, therefore, can not be placed with any precision!

The bank craze—as it may well be termed—reached its climax in September when an institution, destined to execute every imaginable description of business, and not

unnaptly named the Banco Constructor do Brazil, with a nominal capital of 80,000,000\$, was offered the public, and subscription day was the scene of fainting fits, pugilism and so forth among those desiring to subscribe. Even the directors of the newly established bank seem to have caught the enthusiasm, for upon being offered an honorarium of 600,000\$, at the first meeting of shareholders, for their services as founders, they declared that this sum would be divided equally between two deserving institutions, one Portuguese, the other native. From later occurrences, it appeared that this handsome donation was dependent on the profits of the institution.

In this manner did Sr. de Ouro Preto fulfill his promise to aid agriculture and stimulate production.

The projected conversion of the debt, domestic and foreign, next claims attention.

Embodied—if this were necessary—by Sr. Belisario's successful reduction of the 6 per cent. government currency stock to that bearing 5 per cent., Sr. de Ouro Preto in August announced—in almost exact imitation of Sr. Belisario on the preceding occasion—a domestic loan for 100,000,000\$, (£11,250,000 stg.), interest 4 per cent. in gold, price of issue 90 per cent. as a minimum and with easy conditions as to payments. This was, of course, successful in every respect, and the net price to the Treasury was something over 91 per cent.; the subscriptions exceeding three times the amount asked for. This loan, it was explained, was destined to aid agriculture and withdraw currency, meet unexpected calls from the drought-stricken provinces, etc., but it was also undoubtedly the precursor of a new "scaling" operation, and the whole domestic debt of the country would in all probability have been reduced to 4 per cent. gold bonds had not unforeseen circumstances intervened.

Early in October it was known that the Messrs. Rothschilds had successfully converted the 5 per cent. loans in London to 4 per cents, by which the Brazilian Treasury was relieved of the obligation to meet the higher rate loans at maturity, and was thus virtually out of the Rio exchange market for a long time. Indeed, early in July it had been officially announced that the Treasury balances in London were sufficient to meet all calls up to the end of 1890, the result of Sr. João Alfredo's hoarding system.

The third "plank" in the Ouro Preto platform was the withdrawal of government currency. To secure this some substitute was requisite, for it was a general complaint that the currency was inadequate to meet the needs of commerce, and its use had become much extended by the liberation of the slaves and the arrival of immigrants, both of whom required more or less cash in settlement of their wages, a feature unknown prior to May 13th, 1888.

There seems little reason to doubt that Sr. de Ouro Preto had at an early period of his administration selected the then Banco Internacional as his agent in this matter.

To facilitate the solution of this third engagement, Sr. de Ouro Preto on July 7th issued new regulations for the execution of the November, 1888, banks of issue law, that completely "sanctified out" Sr. João Alfredo's modest regulations of January 5th. Gold was made the basis of note issue, and three "promises to pay" were authorized against each unit held on deposit. This seemed attractive to bankers and several institutions took the necessary steps to meet the requirements of these regulations as to capital. But the scheme necessitated the imputation of foreign capital in metal, and the Banco Internacional was first in the field, by arranging with foreign bankers, principally French, for the organization of the Banco Nacional with a capital in gold of 90,000,000\$, of which something over one-half was to come from abroad and the balance loaned by absorbing the Banco Internacional, which had been doing a very profitable business, and whose shares were at a high premium, together with the issue of a sufficiency of shares of the new institution to complete the capital. This operation was also a gigantic success and the Banco Nacional do Brazil commenced business on September 20th. On October 3rd its specie notes were first placed in circulation.

The action of the Treasury was considered favoritism by some of the other banking institutions. The Bank of Brazil had increased its nominal capital from 33,000,000\$ to 100,000,000\$ avowedly with the purpose of availing of the right of issue, and the

press teemed during October with the discussion of the question, as to whether it was advisable to restrict the right of issue to one bank only, or to freely permit all institutions organized in accordance with the law to put out three milreis in paper for one in gold. The present minister of finance, then chief editor of the *Diário de Notícias*, defended the latter hypothesis and the letter of the law was unquestionably with him, but the Treasury seemed to hesitate and granted only one or two authorizations to the smaller institutions.

The preparations for withdrawing the government currency were now at a point where this could be decreed, and on September 6th a contract had been signed with the Banco Nacional for the gradual withdrawal of the currency, in exchange for which the Treasury would issue 4 per cent. gold bonds at par.

The calculation is clear; the withdrawal of government money would force the gold notes upon the public, which had become accustomed to an irredeemable currency and would be content with the promise to pay expressed on the note without demanding the fulfillment of the engagement. The bank loyally filled its part of the contract and up to the end of the year had redeemed and paid into the Treasury 7,775,000\$ in exchange for bonds, which had in the meantime sharply declined, but it had not been able to replace by its issue the government currency withdrawn.

Up to the end of December ten banks in all, here and in the provinces, had received authority to issue notes under the Ouro Preto regulations, of which but two had availed of it: the Banco Nacional, which had an outstanding circulation on December 31st of about 5,600,000\$, against which it had 11,000,000\$ in gold, and the Banco de S. Paulo which, on the same date, had a circulation of 661,000\$ against gold on hand to the extent of 3,326,000\$.

On December 29th the Treasury notified the banks which had not availed of the authorization to issue notes, that this privilege would lapse, if not used within three months from the date of the authorizations.

Visconde de Ouro Preto had, partially at least, complied with the third engagement assumed upon taking office.

These great financial measures did not exhaust the energy of "Brazil's greatest financier." On July 13th there were added a few more articles to the "sliding scale" tariff, which had been overlooked by the manufacturers when Sr. João Alfredo issued his table. In July also the brassage on gold coined at the Mint, which had been abolished by Sr. João Alfredo, was replaced, and as observers had taken advantage of the fact that enormous profits—estimated very moderately at 30 per cent. by a Mint official—were to be made by the importation of silver bars and their coinage, he vetoed the coinage of silver for private parties. It was given out that 6½ metrical tons of silver were melted and alloyed in the first ten days of June, and business men became alarmed at the prospect of a flood of silver tokens. The alarm, however, was groundless, for the new coins appear to have been disposed of to the interior, where they are at present, probably hoarded by immigrants and freedmen.

On August 15th a revision of the tariff was commenced. Many merchants were invited to assist therein, and some accepted the invitation, but the matter after a bitter discussion between the manufacturers and the importers and dealers, was consigned to limbo by the present minister of finance on December 11th, for which action he was criticised to a trying extent by the disappointed manufacturers.

On October 1st at the suggestion of Sr. de Ouro Preto a clearing house for the banks was finally organized.

The unvarying success of the premier was continued throughout October and his popularity culminated on November 7th, when at a meeting held at the Exchange, and composed almost entirely of the directors of the banks he had favored, it was unanimously decided to erect a statue to him in a special saloon of the new Exchange when completed. On November 15th the revolution broke upon Rio and Visconde de Ouro Preto was a prisoner condemned to exile. The policy of Sr. Rui Barbosa, the minister of finance in the provisional government, is as yet somewhat nebulous. Up to December 31st, the only document regarding financial affairs was the minister's report to his chief, which we published on the 6th inst., and which is less an explanation of any

policy, than a history of matters at the Treasury previous to his assuming office.

On November 28th Sr. Barbosa held a meeting of bankers, brokers, and merchants to hear their opinions on the condition of the money market. There was an admirable unanimity in the visitors' declarations that aid must be extended by the Treasury, but the minister seems to have met this opinion to a very moderate degree, and many persons were seriously offended by his conservative action. The minister advanced 10,000,000\$ to the Banco Nacional and Bank of Brazil, for the purpose, he states, of avoiding a serious decline in government stock. Prophecies of crises were not wanting, and altogether these evil omened croakings sought to inspire a terror in the mind of the commercial body of Rio. Fortunately their prognostications proved entirely groundless.

Of the wild speculation that was rampant here during the latter half of the year, but little can be said. It was probably unique, for the interested parties bought and sold thousands of shares at constantly advancing quotations, without the use of cash, and without any intention, as it appeared later, of paying losses. The banks—be it said to their honor—endeavored to instill some common-sense into the speculators by refusing all accommodation to them, but so long as buyers and sellers could be found the game went bravely on. On October 31st the first default was heard of on the Stock Exchange. On November 30th the number had greatly increased, while on December 31st it is questionable whether any of the "plungers" even considered they had incurred any obligations, so coolly were defaults made.

Some money was made and saved early in the madness, but in all probability the whole result of the speculation was a few law-suits.

It is customary to say "Let this be a lesson," at the end of such a narrative as we have been obliged to put on paper, and we echo the admonition, even when very serious doubts exist that it will be followed.

Certainly 1889 was a year of wonders, in every sense, and fortunately its like is not soon to reappear!

#### BRITISH SUBSCRIPTION LIBRARY.

To the Editor of the Rio News:

Dear Sir.—In rendering to contributors some account of the result of the appeal made in behalf of the above institution last October, the Committee desire in the first place to thank you for the use you allowed them to make of your columns and also for the editorial endorsement with which you kindly supported their appeal on that occasion.

The Committee are glad to record that the amount they asked for as a minimum has been met and slightly more than doubled, 1,015 milreis having been up to the present received from fifty-two private contributors and six firms. The subscription list is still open.

An order of £60 has already been sent to Mr. Mudie for the renewal of works of fiction alluded to in the appeal of October. In this matter the Committee have paid considerable attention to the question of binding. They have selected a somewhat more expensive binding than they might have done, not because it was handsome, or because they wished to spend money, but because it was the strongest and most durable that Mr. Mudie could offer them. They therefore think that a little extra cost in this direction is actually money saved.

I may add that included in the above order was a request for the latest edition of Chambers' Ten Volume Cyclopaedia, which, for institutions that can not afford the Cyclopaedia Britannica, is probably the next best work of the kind. This edition is an entirely new one, almost wholly re-written and brought up to date (1889). It is hoped therefore that it may prove a useful work of contemporary reference.

In dealing with the balance still in hand, as with any further contributions that may be accorded them, the Committee may be relied on to use their best discretion as to the disbursement of the same in the interests of the Library and of the English-speaking subscribers to that institution.

I am, Sir,

Yours faithfully,

H. MUSLEY.

Vice President and Hon. Secretary.

Rio, Jan. 23rd, 1890.

#### CIVIL MARRIAGE.

Decree No. 181 dated January 24th orders civil marriage to precede or follow the religious ceremony and specifies the rules for the former. The decree goes into effect on May 24th next.

**Chapter I.**—Prescribes the preliminary formalities: certificates of age, declaration of condition and residence, together with those of the parents, or the reasons the latter are not made, or of their death; authority when the parties are minors; a declaration by two adult witnesses that the parties are known to have no relationship in a full-blooded degree, nor other known impediment; certificate of death of a former spouse, or of the nullification of a former marriage.

Upon presentation of these documents the registrar will draw up a legal notice to be published twice, at intervals of a week, and affixed at a public place in his office from the day after the first announcement to five days after the second. If no reclamations are made, or reasons appear to the contrary, the registrar will certify that the parties are entitled to marry within two months from that date.

When the parties reside in different districts the notice will be posted in both districts.

If either of the parties has resided for the greater part of the preceding year in a different state, he must prove that he left without impediment to marriage.

**Chapter II.**—Specifies the impediments to marriage. They are: Ancestors and descendants with legitimate relationship, civil or natural or by affinity, and paternal or maternal collateral relatives within the second civil degree;

Persons joined by a former marriage not yet dissolved;

An adulterous spouse with a paramour, condemned as such;

The spouse convicted as principal or accomplice in the homicide, or attempt at homicide, of the other spouse with the person who perpetrates or directly contributes to the perpetration of the crime;

Persons under restraint or incapable of expressing their consent by word, or in writing, equivalently;

The soldier with the soldier so long as the latter is not in a safe place and beyond his control;

Persons under the power or administration of others, until the consent of the latter is obtained;

Females under 14 years of age and males under 16;

A widower, or widow, with children, until the estate is administered;

A widow, or separated woman, within 10 months after widowhood, or separation, except after this and within the said period, she gives birth to a child;

A guardian, or curator, his ancestors, descendants, brothers, brothers-in-law, or nephews, with a ward, or charge, during the guardianship, etc., and the settlement of the estate, unless permission by public instrument, or will, has been granted by the deceased father or mother of the ward;

The judge, and his clerk, their ancestors, descendants, brothers, etc., with an orphan or widow in their judicial district, except by special license of the president of the Court of Appeals of the district.

**Chapter III.**—Contains the list of those authorized to make objections, the time for and the means of resolving these.

**Chapter IV.**—Prescribes the formalities of the civil ceremony, the number of witnesses necessary, place and forms of words to be employed. The marriage may be celebrated at the registry office, or in any public or private building, but with open doors under all circumstances. Two witnesses, who may be relatives, at least, are required at the registry office and three or four elsewhere, if the contracting parties can not write. The presiding officer must receive the consent of both parties and upon their repeating the formula "I, N, or M, take you M, or N, to be my husband, or wife, as long as we live," the woman first speaking he will declare them legally married. If either party declares an objection, the ceremony will be at once suspended for that day. It further provides for cases of emergency, in which some of the formalities may be dispensed with.

**Chapter V.**—Provides for the marriage of Brazilians abroad and registry in the republic and for those of foreigners in Brazil, which are regulated by the present decree.

**Chapter VI.**—Contains the proofs of marriage, either under the present decree, or celebrated previously.

**Chapter VII.**—Treats of the effects of the marital state, and prescribes the duties and prerogatives of the husband, or wife, and refers to property in common under certain conditions.

**Chapter VIII.**—Contains the acts and ranks producing nullity, or permitting separation of persons:

Infraction of § 1 to § 4 of Art. 7;

Infraction of § 5 to § 8 of Art. 7;

Restraint of one of the parties;

Incapacity of one of the parties;

Impropriety of age;

An essential error as to the person of the other spouse.

The periods within which nullity may be claimed or separation demanded, vary from three months to two years, according to the cause.

**Chapter IX.**—Treats of divorce. The causes for this are:

Adultery;

Chastisement, or grave injury;

Voluntary abandonment of the conjugal residence and absence for two years;

Maternal consent where the parties have been married two years.

Divorce will not dissolve the conjugal tie, but authorizes unlimited separation of persons and the rules as to common property cease as if the marriage were dissolved.

**Chapter X.**—A valid marriage can only be dissolved by the death of one of the parties.

**Chapter XI.**—Provides for the possession of the children in cases of nullity, separation, or divorce.

**Chapter XII.**—Contains the penalties for infractions.

**Chapter XIII.**—Contains the general dispositions.

#### PROVINCIAL NOTES.

—The contractor of the Imperial Maranhão lotteries lost his job by a decree, and now he wants damages.

—Twenty of the men concerned in the lynching of a murderer in Sant'Anna do Deserto, Minas, were taken to the capital of that state on the 22nd ultimo arrest.

The municipal authorities of Nietheroy will tax market-gardens and grass-fields within the city limits. Tax grass-fields, by all means, but do exempt the gardeners!

—Three of the S. Paulo ex-municipal councillors protested against the dissolution of the chamber, and the taking over of municipal affairs by the "intendencia," on the 13th.

—According to recent advices from Rio Grande do Sul, the army detachments along the Uruguayan frontier have been placed at the disposition of the customs authorities to stop smuggling.

—On the 19th the new name plates were fastened up in the "Lt. Col. Fonseca e Silva" square in Nietheroy. After fixing the plates a fireman was promoted to the post of corporal. Curious reason for promoting even a fireman.

—Under date of December 26th the governor of Paraná informed the minister of the interior, that small-pox was epidemic at Muretes, and also advised that sanitary measures be taken against the disease there and at Paranaguá.

—A decree dated on the 16th authorizes the minister of agriculture to expend the sum strictly necessary for the establishment of colonies of natives on the territory of Brazilian Guiana and fixes the advantages to be granted the colonists.

—On the 14th the minister of war received news by telegram that 400 inhabitants of S. Paulo de Miranda, Rio de Janeiro, had refused to accept the appointment of an official sent there, but later on the trouble was settled and no force was required to be sent.

—A decree dated on the 7th and published in the *Diário Officiel* on the 11th, fixes the rules for the establishment of a practical school of agriculture and viticulture in the municipality of Taquary, Rio Grande do Sul, which was contracted for with Sr. Amelino Benigno Castilho.

—Our Portuguese friends of the *Diário Mercantil* of S. Paulo have succeeded in stirring up a great excitement over the refusal of the London and Brazilian Bank to continue its subscription. The *Diário* gave us to understand that it was on account of the English-Portuguese question, but the manager (a Brazilian) now explains that he intended the suspension at the end of December last, consequently we are now led to believe that the paper was not wanted.

#### COFFEE NOTES.

—"This coffee is very muddy this morning." "Yes, dear, but you must remember how upset things are in Brazil just now."—*Exchange.*

—A decree dated on the 23rd inst. by the governor of Rio de Janeiro orders that the 4 per cent. provincial tax heretofore levied on coffee when dispatched for export, shall be collected upon its arrival at fixed stations.

—According to figures published in the *New York Shipping and Commercial List*, the visible supply of coffee on December 1st was:

Stock in Europe, all kinds.....	1,344,900
Alto do Brazil.....	399,000
do do, East.....	30,000
Visible supply Rio and Santos in United States.....	416,000
Stock, other kinds, do.....	96,800
Alto from East, do.....	37,500
Stock in Rio.....	220,000
do in Santos.....	246,000
	2,751,200
Against Nov. 1st.....	2,977,801

—The present time seems a period in which shade for all products is being widely tried. Cocoa planters have long gone in for shade; and now coffee planters are purchasing *ficus glomerata* seed, and hope that the umbrageous shelter of those fig-trees will help to restore coffee to its old vigor and robustness. It will be very interesting to watch the effects of a more general cultivation of shade throughout estates, for the Ceylon planter of the older days was generally very averse to shade of any kind, believing that it affected the yield of crop. If we are to believe the stories we have heard of the wonderful effects of the *ficus glomerata*, coffee under it is benefited so conspicuously as to suggest that this good result is due to some effect which the roots of the shade tree must have upon it. The more shade afforded cannot account for this, as it is difficult to believe that the shade cast by one tree differs, except in intensity, from that thrown by another, and planters are very largely of opinion that there is some special virtue in the *ficus glomerata*. We are led, therefore, to suppose that this is derived from the roots of the tree in opening up the soil and in absorbing qualities harmful to the coffee, or in giving forth properties of benefit to it. Altogether the subject is very interesting, and we should be glad of further information on the matter. —*Times of Ceylon.*

—Messrs. James Cook & Co. say on December 23rd: "It may be interesting to note the consumption of chicory in proportion to coffee for the eleven months of this year. In the United Kingdom it is 37½ per cent., against 35½ in 1888 and 39 per cent. in 1887, and in France 40½ per cent., against 40¼ in 1888, and 30¼ per cent. in 1887."

—The director of the Rio de Janeiro state treasury says the export duty on coffee produced 1,730,777\$889 in 1887, 2,176,132\$520 in 1888 and 1,748,504\$122 in 1889. He attributes the falling off in the revenue to the decrease in production raised by want of labor and exhaustion of the land. A curious feature in this statement is that in not one of the above years did the revenue collected reach the amount estimated in the budget, and yet the provincial deputies who organized this are nearly all closely connected with coffee planting.

#### LOCAL NOTES.

—A decree dated on the 15th authorizes the execution of the Rio Grande do Sul law improvements.

—A surgeon dentist of this city has offered his professional services to the army. There is liberty for you!

—Will the new co-operative coal company buy English coal, or not? As a substitute we might suggest Welsh coal.

—The minister of agriculture has appointed a committee of three to examine the contracts for the introduction of immigrants.

—The advocacy of life officers does not seem good republicanism. A man fixed for life is not apt to be as active as a temporary incumbent.

—Even the *Jornal do Commercio* has broken silence to criticize the new banking law. The whole idea is so impracticable that it does not merit discussion.

—The parish church of S. José carefully compiles the number of communicants, but such insignificant matters as marriages and baptisms are apparently quite correctly ignored.

—It appears the bookers did not resolve to keep the 20th as a holiday in honor of St. Sebastian, but because the report was current that the banks and custom-house would close at mid-day.

—On the 21st inst. the great-grandson, or grand-nephew, of the martyr Tiradentes died in this city at the age of 87 years. He had no medical assistant and senile marasmus was the cause of his death.

—On March 13th, 101, the French positivists congratulated the government on the declaration of the republic. It is impossible that the commemoration should have been 1,789 years coming from Paris.

—Why not assign the regional bank of the northern district to the guardianship of the Barão de Combarco? As a speculator he would be an experienced yoke-fellow with Comendador Mayrink.

—Sr. Raygolin Adolpho Victorio da Costa has been appointed consul-general of Brazil at Hamburg. The nominee has been a high official in public instruction, but what his qualifications are for a consular post are still to be proved.

—A soldier of the 11th infantry wounded two soldiers of the 23rd, one seriously, with a dagger on the night of the 19th. He was hauled over to the police by an ensign who had arrested him, and by the police was sent to the barracks.

—On the 20th the minister of marine paid an unexpected visit to the naval hospital and found nearly everything unsatisfactory. Even the table for the hospital attendants, medical students, was spread with a sheet, instead of the proper table cloth.

—On the 16th *O Paiz* was cited to produce the original of a notice published criticising a police sub-delegate. As the article in question is among the local items of *O Paiz*, the journal accepts all responsibility and proposes to test the case in the courts.

—If the captains of a certain line of steamers calling at this port are not careful they will get the history of the recent revolution all mixed up. Their stories in foreign ports have been wonderfully interesting, but they heat Baron Munchausen by several lengths.

—On the 9th inst., the minister of justice placed 160,000\$ at the disposition of the governor of Sergipe on account of "public lands and colonization." What has the department of justice to do with public lands? The expenditures on this account have heretofore been made by the minister of agriculture.

—A curious case is mentioned in *O Correio do Paiz* on the 21st. One of the competitors for the national anthem prize is in Italy, and he composed a musical arrangement for one of the Lamentations of Jeremiah. He proposed submitting the composition to his master in music, but the very day he was to present his work, the master died! We do not like to be melancholic, but it certainly appears that the mere prospect killed the unhappy man.



1	Cape of Good Hope Get lug <i>Ludwig</i> .....	6,500
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Petropolis, 14 Jan. 1890.

21

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